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14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**
17

18 DOREEN BROWN, LOUELLA
19 STANTON, ELDON BROWN,
20 DWIGHT BROWN, GILBERT
21 GEORGE, ELENA LOYA, ELISA
22 DICK, LOVELLE BROWN, KEVIN
23 DICK & LESLIE SMARTT, JR.,

24 Plaintiffs,

25 v.

26 DEB HAALAND, SECRETARY,
27 UNITED STATES DEPARTMENT
28 OF INTERIOR, in her official
capacity,

Defendant.

Case No.: 21-CV-00344-MMD-CLB

**JOINT MOTION FOR EXTENSION
OF TIME**

1 Plaintiffs and Defendant, by and through their respective counsel, hereby
2 stipulate and jointly move the Court to allow the Plaintiffs 15 days from the grant of
3 this stipulation to respond to the Motion to Dismiss filed by the United States.
4

5 In turn, the parties stipulate to allow the United States an equal extension of time to
6 reply to Plaintiff's response to the Motion to Dismiss based on the following:
7

8 1. On August 6, 2021, Plaintiffs filed their Complaint for Injunctive Relief
9 (ECF No. 6).
10

11 2. Plaintiffs served the United States Attorney's Office for the District of
12 Nevada on August 13, 2021.
13

14 3. On September 20, 2021, the parties filed a joint motion to stay
15 proceedings for 90 days, with the United States answer or pleading due 60 days after
16 the stay expired (ECF No. 13).
17

18 4. On September 21, 2021, the joint motion was granted (ECF No. 14).
19

20 5. On November 4, 2021, Plaintiffs moved for emergency order enjoining
21 Defendant United States to enforce orders from Defendant's Court of Indian Appeals
22 stopping demolition of Plaintiffs homes on the Winnemucca Indian Colony (ECF
23 No. 15).
24

25 6. On November 5, 2021, the Winnemucca Indian Colony moved to
26 Intervene (ECF No. 20).
27
28

1 7. Also on November 5, 2021, the Court granted the motion to intervene
2 and denied Plaintiffs motion for emergency order (ECF No. 22).

3 8. The denial of Plaintiffs motion for emergency order was appealed to
4 the Ninth Circuit Court of Appeals on November 8, 2021 (ECF No. 23).

5 9. The appeal was denied on November 11, 2021 (ECF No. 26).

6 10. On November 17, 2021, Plaintiffs filed an unopposed motion to remove
7 the stipulation docketed as ECF No. 13 (ECF No. 28).

8 11. Also on November 17, 2021, Plaintiffs moved to amend their complaint
9 and the proposed amended complaint was attached as an exhibit to the motion to
10 amend (ECF No. 29).

11 12. On December 1, 2021, Defendant filed its non-opposition to Plaintiffs
12 motion to amend (ECF No. 34).

13 13. On December 1, 2021, the parties filed a joint stipulation allowing the
14 United States 60 days to respond to the amended complaint. (ECF No. 35).

15 14. Also on December 1, 2021, the Intervenor filed a response to Plaintiffs
16 motion to amend (ECF No. 36).

17 15. Also on December 1, 2021, the Court accepted the stipulation (ECF No.
18 35) and ordered the United States to answer or respond by January 30, 2022 (ECF
19 No. 37).

1 16. Also on December 21, 2021, the Court granted the unopposed motion
2 to remove stay (ECF No. 28) and the Plaintiffs' motion to amend (ECF No. 28) with
3 instructions to file and serve the first amended complaint (ECF No. 38).
4

5 17. On December 2, 2021, the Court rescinded the portion of its previous
6 order (ECF No. 38) granting the motion to amend and then ordered the Plaintiffs to
7 reply to the Intervenor's response (ECF No. 36) by December 8, 2021.
8

9 18. Also on December 2, 2021, intervenor filed a motion to dismiss the
10 original complaint and the proposed first amended complaint (ECF No. 41).
11

12 19. Plaintiffs filed their reply to the Intervenor's response to their motion to
13 amend on December 8, 2021 (ECF No. 42).
14

15 20. Plaintiffs filed their response to the Intervenor's motion to dismiss both
16 their complaints on December 16, 2021 (ECF No. 44).
17

18 21. The Intervenor replied on December 23, 2021.

19 22. As such, Plaintiffs' Motion to Amend (ECF No. 29) is pending.
20

21 23. Also the Intervenor's motion to dismiss (ECF No. 41) is pending.

22 24. The Defendant United States filed its Motion to Dismiss the first
23 amended complaint (ECF No. 29) on January 31, 2022 (ECF No. 47).
24

25 Accordingly, Plaintiffs and Defendant United States request that Plaintiffs
26 shall have 15 days from the date this stipulation is accepted to respond to the United
27 States motion to dismiss their first amended complaint (ECF No. 47) and an equal
28

1 extension of time shall be allotted for the United States to reply to Plaintiffs
2 response.

3
4 Respectfully submitted this 11 day of February, 2021.

5
6 s/Jim Salvator

7 Jim Salvator

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10 *Attorney for Plaintiffs*

11 CHRISTOPHER CHIOU

12 Acting United States Attorney

13 /s/ Skyler H. Pearson

14 SKYLER H. PEARSON

15 Assistant United States Attorney

16 *Attorneys for the United States*

17 **IT IS SO ORDERED:**

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19 

20
21 **UNITED STATES MAGISTRATE JUDGE**

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23 **DATED:** February 14, 2022.